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April 13, 2017

File via ECF

Hon. Naomi Reice Buchwald
United States District Court
500 Pearl Street
New York, New York 10007

Re: *Romano v. Weiss*, et al., 17 Civ. 1354 (NRB)

Dear Judge Buchwald:


This firm represents the defendants in the referenced case. I regret the necessity of responding to the April 7, 2017 letter to Your Honor from Eamon Jafari, Esq., counsel for plaintiff Larry Romano (the "Letter"). I will be brief.

Neither I nor anyone else at this firm was given the courtesy of being sent a copy of the Letter. I first saw it when the ECF system notified me that Your Honor's memo endorsement (copy annexed) had been filed. Significantly, the failure to send a copy to Defendants' counsel directly violates Rule I.C of Your Honor's chambers rules. It is telling that Mr. Jafari's letter does not provide for a "cc" to Defendants' counsel.

That is not to say that we object to giving Mr. Romano time to locate new counsel. We do not. But we respectfully request that the 60-day period the Court has granted be the last. By the time the 60-day period runs on June 10, it will have been not quite four months since the case was sent here on February 15. I will not trouble the Court with the details of my dealings with Mr. Jafari. Suffice it to say for current purposes that it is not fair to Defendants to have this lawsuit hanging over their heads indefinitely. We therefore respectfully request that no further extensions of time be granted to Mr. Romano to engage new counsel once the 60 days pass.

We regret the necessity of burdening with the Court with a letter like this. We of course stand ready to cooperate with the Court in all respects.

Very truly yours,



Stuart M. Riback

cc: Eamon Jafari, Esq.

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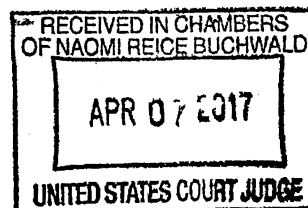
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April 7, 2017

Hon. Naomi Reice Buchwald
Daniel Patrick Moynihan United States Courthouse
500 Pearl Street, Courtroom 21A
New York, NY 1007-1312

SENT VIA FACSIMILE: (212) 805-7927



In Re: *Lawrence J. Romano v. Larry Weiss, et al.*
Case No.: 1:17-cv-0135(NRB)(HBP)

1354

ENDORSEMENT

*The requested 60-day
extension to obtain local
counsel is granted.*

Dear Judge Buchwald,

Our firm represents Plaintiff Lawrence J. Romano ("Mr. Romano") in the above-referenced case. While this letter is in part a response to Defendants' request for a pre-motion conference, whereby Defendants seek the Court's permission to move to dismiss the Complaint, pursuant to Fed. R. Civ. P. 12(b)(6) and Fed. R. Civ. P. 12(b)(5), the larger purpose of this letter is to explain Mr. Romano's current condition.

As Defendants explained, this case was originally filed in the Central District of California, on November 21, 2016. The facts contained in the Complaint establish Plaintiff's position regarding a business venture entered into with the Defendants that quickly turned into an opportunity for the Defendants to profit, at the expense of all others involved. Though Defendants attempt to paint this case as a "simple breach of contract claim," the facts are much more troublesome. In fact, Mr. Romano is informed that other investors related to the film in controversy have filed a separate suit against the Defendants, alleging much of the same concerns—including claims of wire fraud.

Regardless of the actual merits, the Central District of California ultimately granted Defendants' motion to transfer venues to this district. Regrettably, no attorney at our firm is admitted to practice in New York State, and the costs of us appearing *pro hac vice* are far too great for Mr. Romano to support. As such, Mr. Romano is seeking local counsel in New York State to continue representation in this case.

Unfortunately, after this case was initiated, Mr. Romano was diagnosed with lymphoma cancer. Consequently, since March 9, 2017, Mr. Romano has been undergoing chemotherapy once a week and radiation therapy 5-days a week at The City of Hope in California. The treatment has unequivocally impacted Mr. Romano physically—losing over 10 lbs. in less than



a month—but has also substantially impacted Mr. Romano's ability to dedicate the time necessary to this case. His last day of radiation and chemotherapy is currently scheduled for April 27 and April 28, respectively. Thereafter, on May 23, Mr. Romano's oncologist, Dr. Thomas Gernon, will evaluate Mr. Romano to determine if surgery is necessary.

Needless to say, Mr. Romano's life has altered considerably, yet his desire to adjudicate this matter remains. Sadly, Defendants are attempting to take advantage of Mr. Romano's current health, as an opportunity to shrewdly dismiss this case without opposition. As such, though Mr. Romano intends to vehemently pursue this matter and his claims, he respectfully requests a 60-day extension or stay be granted for him to complete his cancer treatment and to retain local representation in New York State. Alternatively, Mr. Romano respectfully requests Defendants' request for a pre-motion conference be denied, at least until he has retained local counsel.

If the Court has any specific questions or concerns, please do not hesitate to contact me. Thank you for the Court's consideration and understanding in this matter.

Yours Truly,

A handwritten signature in black ink, appearing to read "E. Jafari", is written over a horizontal line.

Eamon Jafari, Esq.
Attorneys for Lawrence J. Romano
Barrington Legal, Inc.